

UNITED STATES COURT OF APPEALS

FOR THE SIXTH CIRCUIT
100 EAST FIFTH STREET, ROOM 540
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OHIO 45202-3988

LEONARD GREEN
CLERK

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Filed: September 23, 2005

Honorable David A. Katz
1716 Spielbusch Avenue
Suite 215 U.S. Courthouse
Toledo, OH 43624

3:94cv7202
DAK

Re: No. 05-4187
In re: Roger Tanner
District Court Case No. 94-07202

Dear Judge Katz:

We have today received and filed the enclosed document as a petition for writ of mandamus prohibition under Rule 21 of the Federal Rules of Appellate Procedure.

The Court has asked me to inquire if you wish to respond to this petition prior to this Court's consideration under Fed.R.App.P. 21 to either deny the petition or establish a briefing schedule in the matter. If you do wish to respond please submit your response to this office within ten (10) days of this letter.

In addition to any response you may wish to make, it would be helpful to the Court to review a current copy of the docket sheet in the litigation to which this petition pertains. Would you see that a certified copy of the docket sheet is sent to this office either with any response or under separate cover.

Very truly yours,

Leonard Greenfield
Leonard Green, Clerk

cc:
Ms. Geri M. Smith
Roger Tanner